



ATTORNEY DOCKET NO.: 5212

PATENT APPLICATION

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): John S. HENDRICKS

Confirmation No.: 6239

Application No.: 09/124,043

Examiner: C. Grant

Filing Date: July 29, 1998

Group Art Unit: 2611

Title: METHOD AND APPARATUS FOR GATHERING PROGRAMS WATCHED DATA

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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JAN 26 2004

Technology Center 2600

TERMINAL DISCLAIMER
RESPONSIVE TO A DOUBLE PATENTING REJECTION

Sir:

Petitioner, Discovery Communications, Inc. is the owner of 100 percent interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 AND 173, as presently shortened by any terminal disclaimer, of prior Patent No. 5,600,364. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 AND 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

For submissions on behalf of an organization (e.g., corporation), the undersigned is empowered to act on behalf of the organization.

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TERMINAL DISCLAIMER – DOUBLE PATENTING
(continued)
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Authorization to charge the fee required by 37 CFR 1.20(d) to Deposit Account No. 50-2849 appears in the accompanying transmittal letter. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-2849 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-2849 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

(Note: An attorney or agent of record must sign this document.)

Respectfully submitted,



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